

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-005892-001 DT

05/15/2017

COMM. CHRISTINE E. MULLENEAUX

CLERK OF THE COURT

J. Bower

Deputy

STATE OF ARIZONA

CHRISTINE A DAVIS

v.

JOSHUA NEAL BARNEY (001)

DOB: 11/11/1983

CARISSA ANN JAKOBE

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

MCSO-ATTN RECORDS MANAGER

RFR

DISPO: REVOKE-IMPRISONMENT/REINSTATE-INTENSIVE PROBATION

1:39 p.m.

Courtroom 2 - CCB - Lower Level

State's Attorney: Kyra Goddard on behalf of the above-named counsel

Defendant's Attorney: the above-named counsel

Defendant: Present

A record of the proceedings is made digitally in lieu of a court reporter.

Defendant was present for the group advisement given on the record at 8:26 a.m. this date in this division.

The Defendant admits violation of probation for condition #21(d) - 6.

The admission is accepted and entered of record.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-005892-001 DT

05/15/2017

The Defendant is advised of the right to disposition hearing within the statutory time limits and the right to a written probation violation report.

Disposition proceeds at this time.

The Court finds that Defendant violated the conditions of probation imposed on 06/21/2016 on the following charges:

OFFENSE: Count 1 (AMENDED): Attempted Sexual Exploitation of a Minor  
Class 3 Felony  
A.R.S. § 13-1001, 3553, 3551, 3821, 610, 604.01, 902, 701, 702, 702.01, and 801  
Date of Offense: On or Between 06/01/2008 and 10/10/2008  
Non Dangerous - Non Repetitive

OFFENSE: Count 2 (AMENDED): Attempted Sexual Exploitation of a Minor  
Class 3 Felony  
A.R.S. § 13-1001, 3553, 3551, 3821, 610, 604.01, 902, 701, 702, 702.01, and 801  
Date of Offense: On or Between 06/01/2008 and 10/10/2008  
Non Dangerous - Non Repetitive

**IT IS ORDERED the grant of probation be revoked for Count 2.**

IT IS ORDERED that Defendant be committed to the Arizona Department of Corrections for a term of imprisonment as follows:

Count 2: 3.5 year(s) from 05/15/2017  
Presentence Incarceration Credit: 201 day(s)  
Presumptive

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail [cforesponse@mail.maricopa.gov](mailto:cforesponse@mail.maricopa.gov). The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 2 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in Count 1.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-005892-001 DT

05/15/2017

shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

IT IS ORDERED suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), reinstating the Defendant on probation upon physical release from the Department of Corrections:

Count 1: For a period of LIFETIME.

Conditions of probation include the following:

Condition 6: Report to the APD within 24 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$75.00 per month.

SEX OFFENDER REGISTRATION FEE: Count 1 - \$250.00.

Payment to commence on a date to be determined and is due on the same day of each month thereafter until paid in full.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Condition 21: Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Intensive Probation

Sex Offender

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-005892-001 DT

05/15/2017

Computer Usage: Ownership and Monitoring

**Pursuant to A.R.S. § 13-3821(K), notification is made to the Sheriff of Maricopa County, Arizona.**

IT IS FURTHER ORDERED Defendant be given credit for any monies paid to date.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is reminded that failure to maintain contact with the Probation Department as required by your Probation Officer may result in the following orders being issued against you:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion To Dismiss the allegations of violation of the remaining term(s) as set forth in the Petition To Revoke.

Count 1: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

Count 2: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The written terms and conditions of probation are handed to the Defendant for explanation and signature. The Defendant is advised of the consequences of failure to abide by the terms of probation.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-005892-001 DT

05/15/2017

1:55 p.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

ISSUED: Order of Confinement - Certified Copy to DOC via Certification Desk

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-005892-001 DT

05/15/2017

Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMM. CHRISTINE E. MULLENEAUX  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)